

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

RENE ARTURO HINOJOSA,  
as Representative of the Estate of  
ALBERT HINOJOSA, Plaintiff,

v.

BRAD LIVINGSTON, et al.,  
Defendants.

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CIVIL ACTION NO. 4:14-cv-3311

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**DEFENDANTS' UNOPPOSED MOTION TO EXTEND DEADLINES**

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Defendants, The University of Texas Medical Branch at Galveston ("UTMB"), the individual UTMB Defendants, the Texas Department of Criminal Justice ("TDCJ"), and the individual TDCJ Defendants (hereafter "Defendants"), by and through their undersigned counsel, file this unopposed motion to extend all deadlines in the above-styled case pending final settlement.

The parties have reached a settlement, which will resolve all matters in this case. The parties have been working to finalize the various settlement documents in this and the related lawsuits. Defendants aver that the settlement in *Adams v. Livingston, et al.*, *Togonidze v. Livingston, et al.*, and *Webb v. Livingston, et al.*, will require Legislative approval during the 2019 Texas Legislative session. Plaintiff understands the necessary approvals of this settlement and understands the approval will not be achieved until 2019. The Settlements in the remaining cases require various governmental officials' approval.

Accordingly, the parties request that all deadlines in this case be extended. In the unlikely event that the settlement in this case is not approved by the necessary government officials, the parties agree that a new scheduling order should be issued by the Court.

**PROPOSED EXTENDED DEADLINES FOR THIS AND RELATED CASES**

	Current Deadline	Proposed Deadline
Hudson/James: Defendants' TDCJ and Goings' Response to Plaintiff's Motion for Sanctions	April 23, 2018	August 31, 2018
Adams: Defendants' TDCJ and Goings' Response to Plaintiff's Motion for Sanctions	April 23, 2018	February 28, 2019
Hudson/James: Defendants' Reply Briefing in Support of Summary Judgment	April 23, 2018	August 31, 2018
Adams: Defendants' Reply Briefing in Support of Summary Judgment	April 23, 2018	February 28, 2019
Togonidze: Discovery Deadline	May 2, 2018	March 31, 2019
Martone Expert Reports	May 28, 2018	August 31, 2018
Togonidze Dispositive Motions Deadline	May 30, 2018	April 30, 2019
Martone Rebuttal Expert Reports	June 11, 2018	August 31, 2018
Hinojosa Expert Reports	July 9, 2018	August 31, 2018

**CONCLUSION**

Defendants respectfully request the Court grant their unopposed motion seeking an extension of all deadlines in this and the related cases.

Respectfully submitted,

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/s/ Leah J. O'Leary

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**ATTORNEYS FOR TDCJ, AND INDIVIDUAL TDCJ  
DEFENDANTS**

**CERTIFICATE OF CONFERENCE**

I, **LEAH O'LEARY**, Assistant Attorney General of Texas, do hereby certify that I conferred with counsel for all other parties to this case on the merits of this motion and have been informed that Defendants' Motion to Extend Deadlines is unopposed.

/s/ Leah O'Leary  
**LEAH O'LEARY**  
Assistant Attorney General

**NOTICE OF ELECTRONIC FILING**

I, **LEAH O'LEARY**, Assistant Attorney General of Texas, do hereby certify that I have electronically submitted for filing, a correct copy of the foregoing in accordance with the Electronic Case Files System of the Southern District of Texas, on May 11, 2018.

/s/ Leah O'Leary  
**LEAH O'LEARY**  
Assistant Attorney General

**CERTIFICATE OF SERVICE**

I, **LEAH O'LEARY**, Assistant Attorney General of Texas, do hereby certify that a true and correct copy of the above and foregoing has been served on all counsel of record via electronic mail on May 11, 2018, as authorized by Fed. R. Civ. P. 5(b)(2) and in accordance with the electronic case filing procedures of the United States District Court for the Southern District of Texas.

/s/ Leah O'Leary  
**LEAH O'LEARY**  
Assistant Attorney General